

EXHIBIT 44

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY, PA
CIVIL DIVISION

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STAR AUTO SALES OF

*

BAYSIDE, INC., et al.,

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Plaintiffs

*

Case No.

vs.

*

1:18cv05775ERKCLP

VOYNOW, BAYARD, WHYTE and

*

COMPANY, LLP, et al.,

*

Defendants

*

*

* * * * *

DEPOSITION

OF

JACKIE CUTILLO

February 28, 2023

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DEPOSITION

OF

JACKIE CUTILLO, taken on behalf of the Defendants herein, pursuant to the Rules of Civil Procedure, taken before me, the undersigned, Kate Formichelli, a Court Reporter and Notary Public in and for the Commonwealth of Pennsylvania, at the law offices of Marshall Dennehey, 2000 Market Street, Suite 2300, Philadelphia, Pennsylvania, on Tuesday, February 28th, 2023, beginning at 10:21 a.m.

Job No. CS5778615

A P P E A R A N C E S

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COUNSEL FOR DEFENDANTS

1 Q. And by which Star entity were you then hired?

2 A. Star Nissan, Star Subaru, one of the two. I
3 remember the payroll.

4 Q. And what position were you hired into?

5 A. Billing and DMV.

6 Q. And were you hired by Vivian?

7 A. Yep.

8 Q. Had you met her before?

9 A. I don't --- not formally, no.

10 Q. How long did you work in the capacity as
11 billing/DMV for Star Nissan?

12 A. Star Nissan and Star Subaru. I did both stores,
13 but my payroll was one of them. I just don't remember
14 which one.

15 Q. Okay.

16 And how long did you work in that capacity?

17 A. Well, I did that, and then over time they had me
18 become a floating biller for nighttime shifts to cover
19 other people at different stores. But I was a biller
20 and DMV, regardless of the store, until 2014.

21 Q. So if I understand your testimony, around
22 February of 2006 until around 2014, you worked doing
23 billing and DMV for Star Nissan and Star Subaru?

24 A. And any of the other --- and Star Hyundai, if
25 they needed a filler at nighttime, Star Toyota on